App. F. IX-4

Previous Referenees 1938. (Epis) **File No.** 30838

Serial Nos. 2

Letter References

PRESERVED

(4)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. one only.

Part B for January 1939.

SUBJECT.

R. A. Proceedings – Dasara Session, 1938.
Bill to amend the Cattle Trespass Act

Mirza Vazeer Hussain
8/7/39

WD 0295—GPB—22,500—13-8-37

General and Revenue Secretariat | File No. — of 192

4477/38 f

R.A. Proceedings.
Dasara Session, 1938.

Legis 30-38-2

PROMISE.	ACTION TAKEN.
1) 2. During the discussions on the general principles of the Bill to amend the Cattle Tress Pass Act, the Second Member of Council stated that in deference to the wishes of the members, the Government were agreeable to raise the period of detention of asses from 3 days to 7.	3) From the Copy of the Bill submitted herewith it is seen that the period of detention of asses has been raised from three to Seven days. This period is split up into two periods in accordance with the scheme of Section 14 of the Act which is now sought to be amended.
4) In the same connection, a member suggested that notice might be issued on the very day of receiving the animal into the pound. The suggestion was noted.	4) Within the first period the owner may claim the Cattle from the pound keeper on payment of the Charges on his failing to do so, a Proclamation is made and a second period is given to the owner within which

NOTE—Contn. Sheet.

WD 0544—GPB—30,000—2-9-83

2

4477

File No. of 193 General and Revenue Secretariat

he may claim the Cattle on payment of the charges which will now include the Proclamation charges also.

5) If a notice (ie a Proclamation) were to be issued on the very day the asses are impounded, the effect would be that the owner will be deprived of the benefit of the first stage and he will have to pay the Proclamation charges in every case.

6) Issue of a notice to anybody is not contemplated by S 14 which speaks only ~~of the~~ of affixing a notice in the office ~~of the officer~~ issuing it and the making of a Proclamation.

7) Submitted for orders. If it is considered necessary, it may be in the form of orders under the Act.

Sone 16.1.39. HV

8) Is it contemplated a notice contemplates amending the existing provisions?

16/1

16.1.39

9) Section 14 speaks only of affixing a notice in the office ~~of the officer~~ issuing the notice and of making a Proclamation ~~but~~ after the lapse of 7 days after impounding a cattle. No other notice is contemplated under S 14.

Sone 16.1.39.

10) The suggestion of the member is not practicable and it cannot be introduced in the bill as the object of the notice is to be served after 3 days while serving the persons interested by the member

2nd member

11) ~~It~~ are put up to the old Act

16/1 3

16/1 (9-)

OFFICE SECOND MEMBER 16 JAN. 1939 No. 6.4.8.7.

16/1 adds? for laws only to give effect to the amendment of para 1. of Sec 14 16/1

NOTIFICATION.

No. 980—*L. C. dated Bangalore, 15th November* 1938.

Under Rule 8 of the rules for the conduct of business of the Mysore Legislative Council, the accompanying Bill further to amend the Cattle Trespass Act, 1871, is published for general information with the statement of objects and reasons.

By Order,

A. SUNDARARAJA RAO,
Secretary,
Mysore Legislative Council.

Bill further to amend the Cattle Trespass Act, 1871.

Whereas it is expedient further to amend the Cattle Trespass Act, 1871; It is hereby enacted as follows:—

In Section 14 of the Cattle Trespass Act, 1871,—

(*a*) In paragraph *one* after the words "seven days" the following words shall be inserted, namely "or within three days in the case of asses impounded", and

(*b*) In paragraph *three* after the words "seven days" the following words shall be inserted, namely, "or within four days in the case of asses impounded."

Statement of objects and reasons.

Under Section 14 of the Cattle Trespass Act, 1871, asses impounded in the cattle pounds of the local bodies shall have to be disposed of by auction only after a detention of 14 days. It is found by experience that such a procedure results in loss especially to the municipal councils concerned, the realisations by the sale of the impounded asses after the prescribed period of 14 days being considerably less than the feeding charges incurred by the local body during the period. In order to overcome this difficulty, it is proposed to reduce the period of detention of asses in pounds from 14 days to 7 days. The Bill is intended to give effect to this decision.

Printed by the Superintendent at the Government Press, Bangalore.

4497

3

General and Revenue Secretariat	File No.	of 193	[App. F. III—2

Serial No.

SECOND MEMBER OF COUNCIL,
19 JAN. 1939
No. 6600

W/

The Cattle Trespass Act 1871 is submitted.

Done 18.1.39. 2nd member

19.1.39

17) no further action necessary as noted ~~recorded~~ by the member

19.1.39

NOTE—Contn. Sheet.

WD 0544—GPB—30,000—2-9-83